

Members

Rep. Vernon Smith, Chairperson
Rep. Linda Lawson
Rep. Carolene Mays
Rep. John Ulmer
Rep. Ralph Foley
Rep. Andrew Thomas
Sen. David Long, Vice-Chairman
Sen. Richard Bray
Sen. R. Michael Young
Sen. Anita Bowser
Sen. John Broden
Sen. Timothy Lanane



INTERIM STUDY COMMITTEE ON JUVENILE LAW AND CORRECTIONS ISSUES

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Authority: Legislative Council Resolution 03-01

MEETING MINUTES¹

Meeting Date: September 2, 2003
Meeting Time: 10:15 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 2

Members Present: Rep. Vernon Smith, Chairperson; Rep. Carolene Mays; Rep. Ralph Foley; Rep. Andrew Thomas; Sen. David Long, Vice-Chairman; Sen. Richard Bray; Sen. R. Michael Young.

Members Absent: Rep. Linda Lawson; Rep. John Ulmer; Sen. Anita Bowser; Sen. John Broden; Sen. Timothy Lanane.

Rep. Smith convened the meeting at 10:20 a.m.

Proposed New Topics:

As the first item on the agenda, Rep. Smith asked the members if there were any topics that members wished to add to future agendas.

Rep. Foley indicated that he would like the Committee to examine the issue of inmate litigation. He distributed a memo to members of the Committee that was prepared by Andrew Roesner, staff attorney, concerning prison litigation issues (See Attachment A).

He told the Committee members about how federal law addresses the problem of offenders in federal prisons who file frivolous and repetitive lawsuits.

Rep. Smith indicated that he would like for the Committee members to discuss whether this topic should be added to the agenda for a future meeting.

¹ Exhibits and these minutes are available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Status of the Juvenile Law Commission:

Rep. Smith recognized Joe Koenig, Executive Director of the Indiana Criminal Justice Institute, to discuss the status of the Juvenile Law Commission.

Mr. Koenig told the Committee members that the Juvenile Law Commission was created by executive authority on April 25, 2002. Cheryl Sullivan, Vice Chancellor of Indiana University Purdue University at Indianapolis, was appointed chairperson of the Commission. He read to the Committee members this specific charge from the Governor:

The commission shall have as its major purpose to study and propose to the legislature, judiciary, and the governor revision in the laws governing children in need of services and juvenile delinquents and the law governing their parents, guardians, and custodians. It is believed that the best interests of our children and our citizens are best served by having the laws affecting the component parts of the juvenile justice system studied as a whole rather than as separate units.

He indicated that the legislative members of the Juvenile Law Commission included Representatives Kuzman and Foley and Senators Long and Howard.

At the first two meetings of the Juvenile Law Commission on February 27, 2003, and July 30, 2003, the Commission members examined several policy options and heard a presentation on the recent history of interim study committees that examined juvenile issues.

The Commission members identified a series of short term goals to be completed before the 2004 General Assembly. These goals include:

- Modifying Indiana law as it relates to juvenile delinquents and status offenders to ensure compliance with the federal Juvenile Justice and Delinquency Prevention Act of 2002.
- Examining confidentiality issues.
- Addressing school attendance and truancy issues.

As a long term goal, the Commission would be comprehensively examining the structure and method by which a series of services are delivered to children and families and determining whether these need to be restructured.

- Mental illness
- Substance abuse problems
- Potential for resources for individuals who are 18 to 22

At the next meeting on September 10th, the Commission members will be examining rural and urban family court models and will continue reviewing truancy issues.

As part of this meeting the Commission will review the:

- Funding streams for juvenile programs for CHINS (Children in Need of Services) placement, the Department of Correction juvenile programs, and special education programs from the Department of Education.
- Information on statutes, state plans, and administrative regulations.

Sen. Long indicated that legislative members have had limited opportunity to participate in the Commission because the first meeting of the Commission occurred in February during the legislative session and because he was not aware of the date of the second meeting. He

emphasized that the Commission's success depends in part on how well the legislative members understand the issues discussed and their ability to convince other legislators that any recommended changes in juvenile law will be good public policy.

Mr. Koenig made these points in response to Rep. Smith's questions:

- No expiration date for the Commission exists in the Governor's proclamation.
- The Commission currently has no target dates but has a target of completing some or all of the short-term goals prior to the 2004 session of the General Assembly.
- The Commission is looking into the availability of more prevention dollars.

Rep. Thomas told the Committee members that he worked for several years as a deputy prosecuting attorney dealing with juvenile issues. He noted the difficulty that confidentiality statutes create in allowing schools and local law enforcement agencies to communicate with each other concerning certain juveniles. He favored an approach that would integrate delinquency and CHINS cases.

Randy Koester, Deputy Commissioner of the Department of Correction (DOC), was asked to describe the sentencing outcomes of persons under the age of 18 who are sentenced as delinquents and those who have been sentenced as adults. He told the Committee that if they are sentenced as juveniles, they will remain in a facility that is totally separated from adults. If they are sentenced as adults, they will often be kept in a facility for adult offenders under the age of 18. DOC tries to minimize contact between adult offenders over the age of 18 and those juveniles sentenced as adults who are under the age of 18. When the offender reaches the age of 18, the offender begins a program in which the offender will be transitioned into the adult general population.

Rep. Smith asked Sen. Long to report to the Committee about his impressions of the Juvenile Law Commission after attending the Commission meeting on September 10th.

Financing the Costs of Juvenile Incarceration:

Rep. Smith recognized Matt Brooks of the Association of Indiana Counties to speak on this topic. He told the Committee that currently 81 counties owe \$76 million to the state as outstanding debt for housing juveniles.

He indicated that county fiscal bodies have little control over the sentencing practices of the juvenile judges or the per diem costs charged by the Department of Correction. Concerning juvenile judges, he indicated that while judges decide whether a juvenile should be committed to a DOC facility, the county council is responsible for the county portion of the per diem costs. In addition, the county has no control over the length of the juvenile's commitment in a DOC facility or which DOC facility the juvenile will be placed.

Concerning the issue of per diem costs, the Association of Indiana Counties and the office of the Marion County Auditor asked the Department of Correction to examine how these per diem costs are determined. DOC responded by revising the process of determining the per diem charge. The resulting process reduced the costs to almost all counties that had committed juveniles as delinquents to DOC in FY 2003.

Mr. Brooks also described a proposal that was made to the Governor of Indiana during the 2003 General Assembly. This proposal included five points:

- Change the county rate for incarcerated juveniles from 50% of the per diem to \$50 per day per juvenile.

- Cap the charge per juvenile at 365 days. After 365 days, the state would pay the entire costs of housing the juvenile.
- Give counties with an outstanding balance a six-month lag to begin paying current outstanding balances.
- Allow counties with large balances to place this debt outside the property tax levy limit for a period of four years so that the final payoff of debt will be made within that four-year period.
- Do not allow any monies collected by the Department of Revenue for counties to be held by the state for repayment of the balances owed.

Mr. Brooks added that education costs for juveniles can be a large component of costs and should not necessarily be paid by the counties.

Randy Koester told the Committee members that DOC determines a juvenile's commitment length by a risk and needs assessment. High-risk juveniles remain incarcerated for longer periods of time than low-risk juveniles.

Rep. Foley told the Committee members that he requested Mark Goodpaster, staff to the Committee, to survey other states about how they pay the costs of juvenile incarceration. He noted that the state of California bills counties in California on a sliding scale based on the severity of the offense. He suggested that Committee members may wish to examine this option in more detail. (See Attachment B)

Rep. Smith indicated that the House Democratic Leadership has proposed that all outstanding balances be paid in full as soon as possible and that in the future, counties should either build their juvenile detention facilities or make payments in advance for any new juvenile offenders who are committed to the Department of Correction.

Sen. Long told the Committee members that Allen County has worked out a payment plan with the Department of Administration during a time that the county is laying off county employees.

Rep. Smith then recognized Mark Goodpaster to distribute a memo about the issue juvenile incarceration. (See Attachment C)

Next Meeting:

The Committee set the date of the next meeting to be Wednesday, September 24th, at 10 a.m. at the Westville Correctional Facility. Agenda items at this meeting will include:

- Discussion of the Juvenile Law Commission.
- Tobacco issues.
- Medical issues.

The meeting was adjourned at 12:30 p.m.

Attachment A

LEGISLATIVE SERVICES AGENCY
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July 28, 2003

Representative Ralph Foley
60 East Morgan Street
P.O. Box 1435
Martinsville, Indiana 46151

Representative Foley,

The following information is in response to your letter to me dated July 21, 2003. I have taken the time to read the federal Prison Litigation Reform Act (PLRA) as well as several articles on controversial provisions of the PLRA and some federal court opinions interpreting it. The major components of the PLRA as I see it are as follows:

Prison conditions

This is probably the most controversial and heavily litigated provision of the PLRA. See 18 USC 3626. This provision of the PLRA allows state prison officials to terminate consent decrees entered as settlements in prior prison condition cases if the remedy in the consent decree was:

- (1) granted or approved in the absence of a finding by the court that the relief is narrowly drawn and extends no further than necessary to correct the violation of the federal right; and
- (2) the least intrusive means necessary to correct the violation of the federal right.

However, a court may order the consent decree to remain in place, even if the above findings were not made at the time the consent decree was entered, if the court finds the relief, "...remains necessary to correct a current or ongoing violation of the federal right, and that the prospective relief is narrowly drawn and the least intrusive means to correct the violation". Additionally, this provision provides that a motion filed to terminate a consent decree by state prison officials operates as an automatic stay of the requirements of the consent decree. The stay takes effect thirty days after the motion to terminate the consent decree is filed and ends when the court rules on the motion.

The above enumerated provisions have been challenged in many federal jurisdictions based on a separation of powers argument. The separation of powers argument essentially states that Congress cannot reverse a final judgment made by an Article III court. The logic being that the consent decree is a final judgment entered by a court and the PLRA allows for

retroactive abolition of the judgment. I have read numerous cases on this issue and have found two cases James v. Lash, 965 F. Supp 1190 (N.D. Ind. 1997); Miller v. French, 530 U.S. 327 (2000) (based on overturning consent decree issued by Hugh Dillon for Pendleton Correctional Facility in 1975) that uphold the previously enumerated provisions of the PLRA.

The remaining question is whether such a provision is necessary in a state version of this law. It seems to me most of the consent decrees arise out of federal civil rights/1983 cases, and as such the federal PLRA allows state prisons to get out of the consent decrees if they so choose. It may be that there are consent decrees entered in state courts by the DOC or various county jails, but I really don't know. It may make some sense for me to call Bob Bugher (DOC legal) or Randy Koester (DOC Deputy Commissioner) to see if the DOC would even benefit from a state equivalent.

Filing fees

The PLRA requires a prisoner who files a complaint in federal district court to pay filing fees. A prison must pay the fees entirely at the time of the filing of the complaint or file a request to proceed in forma pauperis (this, of course, will be what happens 99.9% of the time.) If a request is made to proceed in forma pauperis the prisoner must do the following:

- (1) submit an affidavit that includes a statement of all assets the prisoner possesses;
- (2) submit an affidavit stating the nature of the action, defense, or appeal and the affiant's belief that the person is entitled to redress; and
- (3) submit a certified copy of the inmate's "prison account" for the 6 month period immediately preceding the filing of the complaint.

The court shall collect an initial partial filing fee of 20% of the greater of: (1) the average monthly deposits in the inmate's "prison account"; or (2) the average monthly balance in the "prison account" for the 6 month period immediately preceding the filing of the complaint; from a prisoner proceeding in forma pauperis. After the initial filing fee is assessed and collected, the prisoner is required to make monthly payments of 20% of the preceding month's income credited to the "prison account".

It should be noted that these provisions may not be used to prevent a prisoner from bringing a civil action if the prisoner has no assets or no means to pay the initial partial filing fee. However, once money appears in the inmate's "prison account" payment of the fees will be required as set out above.

Screening of prisoner cases

The PLRA requires a judge who receives the complaint filed by the prisoner to review the complaint, and dismiss it if the judge determines that the allegation(s) is: (1) untrue; (2) frivolous or malicious; (3) fails to state a claim on which relief may be granted; or (4) seeks monetary relief against a defendant who is immune from such relief.

The PLRA requires judicial screening of a prisoner case before docketing, if feasible, if the prisoner seeks redress from a governmental entity or an officer or employee of a governmental entity. If the prisoner suit does not seek redress against the government or a government officer or employee, then the judicial screening is not required to take place before docketing and may occur at any point during the litigation, notwithstanding the payment or partial payment of filing fees by the prisoner.

Three strikes provision

This provision is aimed at eliminating the serial filing of meritless prisoner claims. It reads as follows:

In no event shall a prisoner bring a civil action or appeal a judgment in a civil action or proceeding under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under immediate danger or serious physical injury.

Physical Injury

This provision targets specific kind of prisoner suits. It provides that a prisoner may not bring a civil action for mental or emotional injury suffered while in custody without a prior showing of physical injury. This provision has been used to dismiss the following types of claims:

- (1) prisoner being housed with mentally disturbed prisoner. Warren v. McDaniel, ____ F.3d. ____ (unpublished).
- (2) prisoner claim that being punished for refusing to take TB test on religious grounds violated Eighth amendment. Williams v. Scott, 142 F.3d 441 (7th Cir. 1988).
- (3) prisoner claims of psychological injury resulting from segregated confinement. Valentine v. Jackson, WL 14685 (S.D.N.Y. 1999)

Please give me a call or stop by my office once you had a chance to digest all of this. I have included some information I received from NCSL as well as an article I found while doing my research (forgive my marks on it). If you would like me to put together a preliminary bill draft just let me know which of the above provisions you would like me to include.

I'm glad to here you had lunch with Tony Gambaiani, an old fraternity brother. He mentioned to me earlier in the summer that you were on the board of the bank where he is employed. He is a great friend of mine, and I'm sure you'll enjoy getting to know him.

Sincerely,

Andy Roesener

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MEMORANDUM

To: Rep. Ralph Foley

From: Mark Goodpaster

Re: Information Request Regarding Juveniles and Financing

Date: August 29, 2003

In a letter dated July 17, 2003, you requested answers to three questions:

- 1) How much would an increase in the alcoholic beverage taxes yield?
- 2) Does the state already have a tax on illegal drugs and, if so, how much revenue is collected annually?
- 3) How do other states fund their juvenile detention.?

The following provides your answers:

Alcoholic Beverage Taxes:

Under current law, taxes on alcoholic beverages include the following:

	Current Rate per Gallon
Beer	\$0.11500
Wine	\$0.47000
Liquor	\$2.68000

The following table shows what additional revenue would be increased under the following scenarios:

Scenario	Added Revenue
One Cent Increase	\$1.3 Million
Five Cent Increase	\$6.5 Million
Average of Surrounding States	\$9.2 Million
Us Average	\$13 Million

Taxes on Illegal Drugs:

Under IC 6-7-3 those that deliver, possess, or manufacture controlled substances in violation of state or federal law are subject to a Controlled Substance Excise Tax according to the following table:

Type of Controlled Substance	Tax Per Gram Seized
Schedule I, II, or III	\$40
Schedule IV	\$20
Schedule V	\$10

The Department of Revenue reports the following collections over the past five fiscal years.

Revenue Collected	
FY 1999	-0-
FY 2000	\$104,185
FY 2001	\$250,812
FY 2002	\$282,527
FY 2003	\$181,232

Revenue from this tax is currently deposited in the Controlled Substance Tax Fund.

The following shows what the tax may be used for:

IC 6-7-3-16

Sec. 16. (a) The department may award up to ten percent (10%) of the total amount collected from an assessment under this chapter to any person who provides information leading to the collection of a tax liability imposed under this chapter. An award made under this subsection must be made before any other distributions under this section.

(b) Whenever a law enforcement agency provides information leading to the collection of a tax liability imposed under this chapter, the department shall award thirty percent (30%) of the total amount collected from an assessment to the law enforcement agency that provided the information that resulted in the assessment. The law enforcement agency shall use the money the agency receives under this chapter to conduct criminal investigations. A law enforcement agency may not receive an award under more than one (1) subsection.

(c) The department shall award ten percent (10%) of the amount deposited in the fund during each month to the law enforcement training board to train law enforcement personnel.

(d) The department may use twenty percent (20%) of the amount deposited in the fund during a state fiscal year to pay the costs of administration and enforcement of this chapter.

(e) Awards may not be made under this chapter to the following:

- (1) A law enforcement officer.
- (2) An employee of the department.
- (3) An employee of the Internal Revenue Service.
- (4) An employee of the federal Drug Enforcement Agency.

(f) All the money deposited in the fund that is not needed for awards or to cover the costs of administration under this chapter shall be transferred to the state drug free communities fund established under IC 5-2-10.

(g) An award made under subsection (a) or (b) shall be made on the basis of collections from each individual assessment that resulted from information supplied to the department by a person or law enforcement agency.

(h) Money shall be considered collected under this section only after all protest periods have expired or all appeals have been adjudicated.

Funding of Juvenile Incarceration in Other States:

I was not able to find a national organization to provide me with a list of funding by all 50 states. The Criminal Justice Institute assisted me by placing your question on a listserve that Juvenile Justice Specialists in other states use to communicate with each other. I also contacted officials from our neighboring states to determine how they deal with this problem.

The following table shows how 15 different states fund facilities for incarcerated juveniles:

Method of Financing	States	Comments
100% covered by state	Ohio, Illinois, Alaska, Kentucky, Oklahoma Iowa, Montana, Georgia, North Dakota, Washington	
	North Carolina	when juveniles are committed for a minimum of 6 months
	Michigan	when juveniles are assigned to privately operated facilities
50% covered by state and 50% by county	Michigan	when juveniles are assigned to state operated facilities
	North Carolina	when juveniles are committed for less than 6 months

Method of Financing	States	Comments
Other method	California	Sliding Scale based on seriousness of offense. Counties pay \$150 per month for most serious, 50% of per diem for those with medium offenses and 100% for least serious offenses.

Comment on California: The Juvenile Justice Specialist indicated that this "sliding scale" encourages counties to keep lower level offenders within the community and only send serious offenders to the State. In 1996, the year this bill was passed, California Youth Authority housed over 10,000 offenders. At this time, California now has fewer than 5,000 offenders, and the states is in the process of closing down some of its institutions.

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Authority: Legislative Council Resolution 03-01

To: Members of the Committee

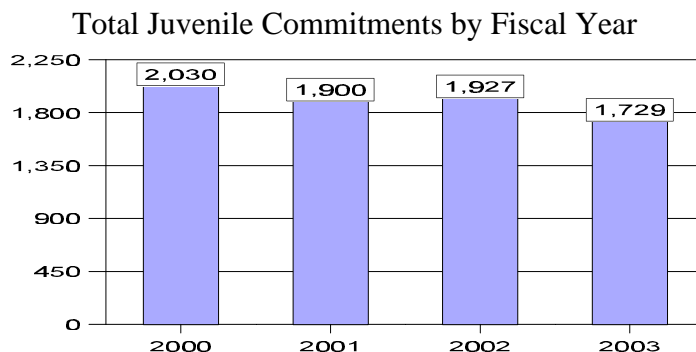
From: Mark Goodpaster, Senior Fiscal Analyst

Subject: Background Information on Juveniles Committed to DOC

In the following memo, I will provide some background on the counties from where the juveniles are committed, the types of offenses for which they are committed and the question of how their commitments are being financed by the state and the counties.

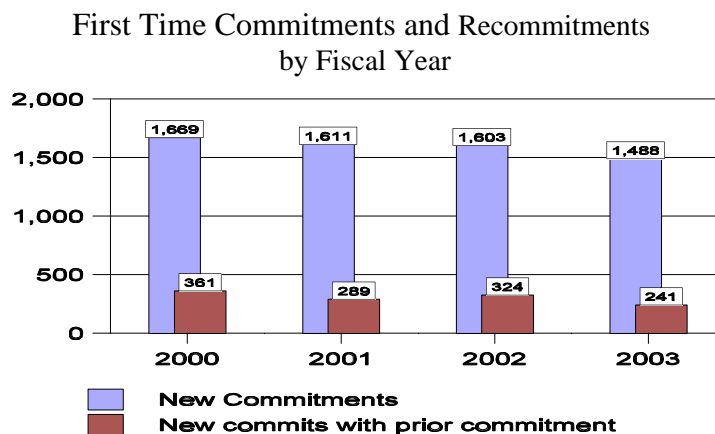
Commitment Trends:

Total juvenile commitments between FY 2000 and 2004 declined by almost 15%



First Time and Previous Commitments:

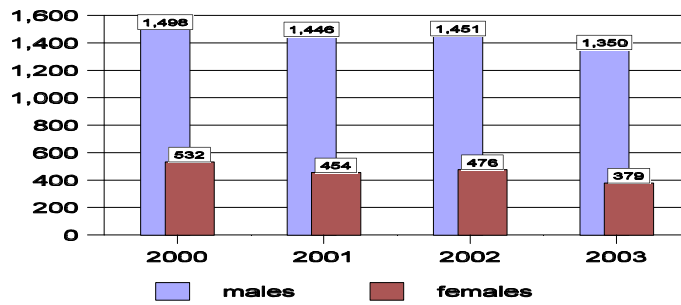
DOC records whether a juvenile has been committed by the courts for the first time or whether there have been past commitments. The number of juveniles committed for the first time declined by 11% while the number recommitted for a second time or more declined by 33%.



Male and Female Commitments:

When comparing sex of offenders, male commitments declined by 10% while female commitments declined by almost 30%.

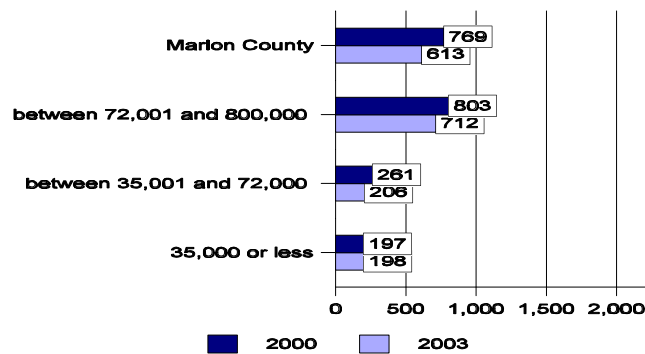
Male and Female Juvenile Commitments by Fiscal Year



Commitments by Population Class:

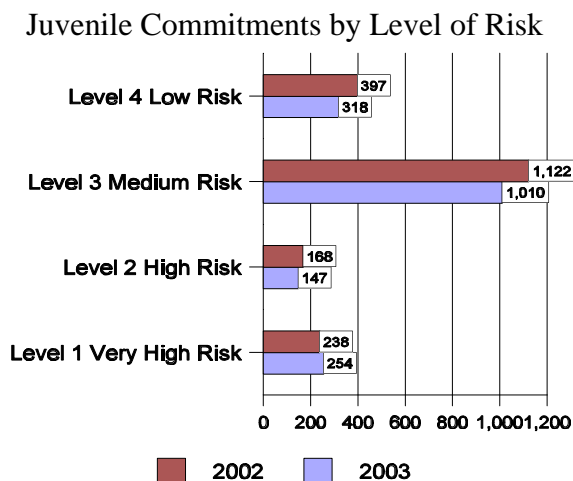
The number of juveniles committed from counties with a population of 35,000 or less stayed almost constant between FY 2000 and 2003. This compared to a decline in commitments of between 11% and 21% in the larger counties.

Juvenile Commitments by County Population Level



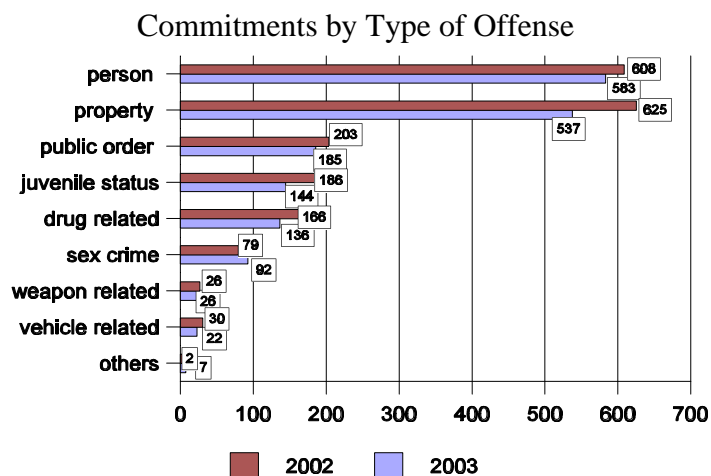
Commitments by Level of Risk:

Juveniles committed to DOC are evaluated for their types of needs and predisposition for violence. Of the four risk categories shown below, the number of juveniles in the “very high risk” category increased while the others declined by rates ranging between 10% and 20%.



Commitments by Type of Offense:

For the past two years, DOC has reported on the most serious offense by statutory code that a juvenile has been committed. The following breaks these up into nine classifications. Of these, two increased (sex crimes and others), one stayed the same (weapon related) while the other six showed a decline.



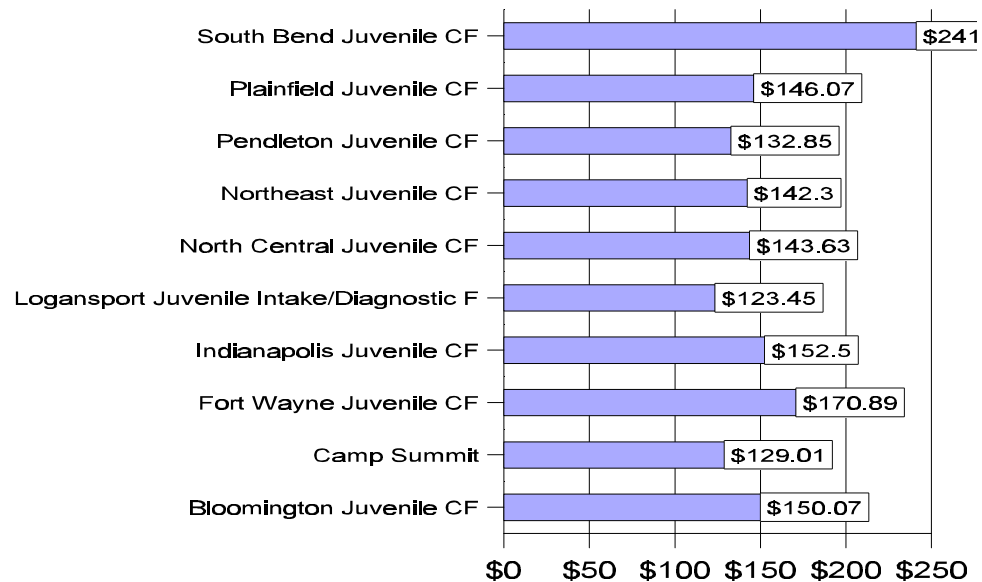
Note: Tables at the end of this memo show commitments by both level of risk and type of offense.

Fiscal Issues:

Under IC 11-10-2-3, half of the costs of incarcerating juveniles is paid by the state while the other half is paid by the counties from which these juveniles have been committed.

Per diem costs range between a high of \$241 and a low of \$123. The average per diem is \$153.

FY 2002 Per Diem Expenses by Juvenile Facility

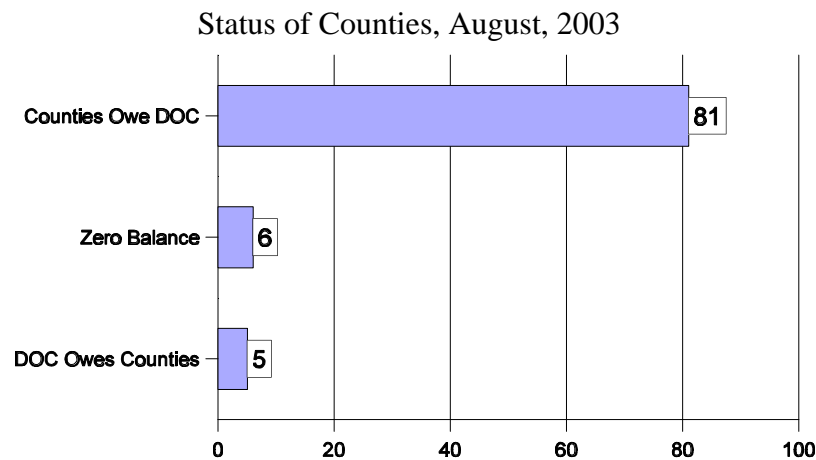


Unpaid Balances:

Some counties have not paid the billings sent by the Department of Correction. During October, 2002, the unpaid balance billed to the counties was \$57.2 Million and increased to \$76.6 Million as of August, 2003. DOC also notes that several of the juvenile facilities had overestimated the charges to the counties by determining per diem rate based on the facility's appropriated funds rather than on reported expenditure. Consequently, 75 counties received credits of between \$337 and \$994,000 to their most recent billing for a total of \$3.36 Million.

Current Status of Counties:

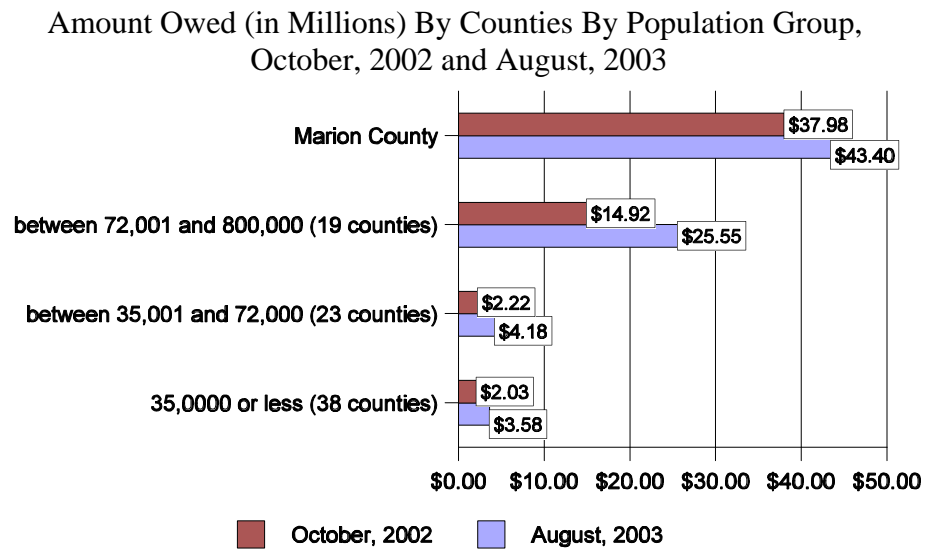
As of August, 2003, 81 counties had an unpaid balance to DOC, six counties had a zero balance and five were owed money by DOC for previous overpayments.



Counties with Unpaid Balances:

Overall, between October 2002 and August, 2003, the total unpaid balance increased from \$57 Million to \$76 Million. The unpaid balance increased the most in counties with the largest population outside of Marion County (\$10.6 Million), Marion County's increased by

\$5.6 Million while the unpaid balances from the small and medium sized counties increased by \$1.5 and \$1.9 Million respectively.



JUVENILE COUNTY MAINTENANCE

PAYMENTS/BILLINGS

FY 2004 to Date

County	Balance as of 6/30/03	July Payments	August Payments	1/1/01-12/31/02 Credit	1/1/03-6/30/03 Male Charges	1/1/03-6/30/03 Female Charges	1/1/03-6/30/03 Billings	Ending Balance
Adams				\$16,386.33	\$59,450.24	\$13,801.25	\$73,251.49	\$56,865.16
Allen	\$6,460,788.04	\$175,000.00		\$109,829.95	\$1,064,541.45	\$259,075.60	\$1,323,617.05	\$7,499,575.14
Bartholomew				\$10,154.19	\$82,588.46	\$8,198.40	\$90,786.86	\$80,632.67
Benton	\$8,006.25			\$3,140.88	\$8,608.96	\$5,871.25	\$14,480.21	\$19,345.58
Blackford				\$6,791.82	\$17,031.79		\$17,031.79	\$10,239.97
Boone				\$5,796.92	\$54,131.63	\$12,322.00	\$66,453.63	\$60,656.71
Brown				\$644.39	\$12,023.83		\$12,023.83	\$11,379.44
Carroll				\$27,527.28	\$73,093.81	\$13,015.25	\$86,109.06	\$58,581.78
Cass	\$86,217.26	\$86,217.26		\$14,509.64	\$76,891.22		\$76,891.22	\$62,381.58
Clark	\$390,856.05			\$19,026.10	\$112,053.04		\$112,053.04	\$483,882.99
Clay					\$21,061.83	\$5,261.25	\$26,323.08	\$26,323.08
Clinton	\$1,156,892.25			\$54,439.24	\$258,953.25	\$71,275.00	\$330,228.25	\$1,432,681.26
Crawford								\$0.00
Daviess					\$34,741.57	\$8,921.25	\$43,662.82	\$43,662.82
Dearborn				\$2,694.55	\$72,482.43	\$16,982.40	\$89,464.83	\$86,770.28
Decatur				\$5,991.97	\$103,249.66		\$103,249.66	\$97,257.69
Dekalb				\$20,108.33	\$82,348.62	\$23,847.95	\$106,196.57	\$86,088.24
Delaware				\$15,780.23	\$45,892.62	\$32,863.75	\$78,756.37	\$62,976.14
Dubois				\$11,215.74	\$47,762.81	\$2,019.10	\$49,781.91	\$38,566.17
Elkhart				\$73,157.80	\$810,843.76	\$124,267.10	\$935,110.86	\$861,953.06
Fayette					\$69,806.37		\$69,806.37	\$69,806.37
Floyd	\$270,828.56			\$10,463.04	\$183,716.80	\$44,015.00	\$227,731.80	\$488,097.32
Fountain	\$5,871.25			\$3,254.61	\$30,491.99	\$9,455.00	\$39,946.99	\$42,563.63
Franklin				\$4,857.21				(\$4,857.21)
Fulton				\$13,171.09	\$864.22		\$864.22	(\$12,306.87)
Gibson				\$14,743.32	\$52,475.11	\$32,425.00	\$84,900.11	\$70,156.79
Grant	\$1,154,117.33			\$41,327.81	\$51,145.90	\$14,027.50	\$65,173.40	\$1,177,962.92
Greene				\$20,433.62	\$15,428.43	\$4,120.50	\$19,548.93	(\$884.69)

Hamilton				\$42,019.05	\$86,977.23	\$40,772.40	\$127,749.63	\$85,730.58
Hancock				\$23,737.85	\$53,724.49		\$53,724.49	\$29,986.64
Harrison	\$36,981.25			\$14,981.36	\$51,141.66	\$381.25	\$51,522.91	\$73,522.80
Hendricks	\$217,193.66			\$40,351.34	\$147,689.90	\$12,957.00	\$160,646.90	\$337,489.22
Henry					\$37,086.32	\$4,193.75	\$41,280.07	\$41,280.07
Howard				\$8,996.24	\$183,168.96	\$55,442.50	\$238,611.46	\$229,615.22
Huntington	\$135,796.34			\$21,028.37	\$100,867.75	\$23,790.00	\$124,657.75	\$239,425.72
Jackson				\$8,828.28	\$78,836.17	\$3,050.00	\$81,886.17	\$73,057.89
Jasper				\$35,763.09	\$136,893.40		\$136,893.40	\$101,130.31
Jay				\$2,899.79	\$29,981.16	\$8,787.05	\$38,768.21	\$35,868.42
Jefferson								\$0.00
Jennings				\$9,260.08	\$26,862.31	\$6,552.00	\$33,414.31	\$24,154.23
Johnson				\$15,268.61	\$205,548.29	\$35,521.80	\$241,070.09	\$225,801.48
Knox	\$55,338.38			\$15,088.87	\$82,714.99	\$1,537.20	\$84,252.19	\$124,501.70
Kosciusko				\$50,502.30	\$186,514.48	\$42,381.00	\$228,895.48	\$178,393.18
Lagrange				\$7,483.43	\$46,029.20		\$46,029.20	\$38,545.77
Lake	\$3,147,742.32			\$286,952.48	\$915,781.99	\$180,373.75	\$1,096,155.74	\$3,956,945.58
Laporte				\$98,774.65	\$431,092.38	\$130,788.95	\$561,881.33	\$463,106.68
Lawrence	\$160,733.56			\$17,899.64	\$60,915.14		\$60,915.14	\$203,749.06
Madison	\$907,662.77			\$53,969.38	\$216,758.74	\$129,015.00	\$345,773.74	\$1,199,467.13
Marion	\$35,487,512.89			\$944,779.41	\$7,029,395.67	\$1,833,099.95	\$8,862,495.62	\$43,405,229.10
Marshall				\$35,351.27	\$83,682.07		\$83,682.07	\$48,330.80
Martin				\$13,014.86	\$29,652.09		\$29,652.09	\$16,637.23
Miami	\$636,740.04			\$34,948.91	\$118,792.47	\$27,898.70	\$146,691.17	\$748,482.30
Monroe				\$15,372.50	\$61,115.03	\$59,322.50	\$120,437.53	\$105,065.03
Montgomery				\$14,208.49	\$85,240.57	\$17,238.60	\$102,479.17	\$88,270.68
Morgan				\$15,635.35	\$179,760.51	\$37,945.05	\$217,705.56	\$202,070.21
Newton								\$0.00
Noble	\$485,892.37	\$30,000.00	\$30,000.00	\$23,125.44	\$133,245.01	\$63,245.45	\$196,490.46	\$599,257.39
Ohio				\$1,879.88	\$12,437.33	\$13,420.00	\$25,857.33	\$23,977.45
Orange								\$0.00
Owen				\$26,838.34	\$50,480.57	\$16,388.55	\$66,869.12	\$40,030.78
Parke				\$700.93	\$13,590.62		\$13,590.62	\$12,889.69
Perry					\$44,645.46		\$44,645.46	\$44,645.46

Pike					\$9,910.49		\$9,910.49	\$9,910.49
Porter	\$2,014,656.55			\$57,375.35	\$296,614.34	\$32,363.50	\$328,977.84	\$2,286,259.04
Posey				\$2,764.59	\$9,336.60		\$9,336.60	\$6,572.01
Pulaski				\$6,079.54	\$39,081.66		\$39,081.66	\$33,002.12
Putnam				\$6,136.75			\$0.00	(\$6,136.75)
Randolph				\$1,738.01	\$31,976.22		\$31,976.22	\$30,238.21
Ripley				\$7,020.90	\$142,247.76	\$119,068.25	\$261,316.01	\$254,295.11
Rush	\$0.02			\$12,046.32	\$40,109.98		\$40,109.98	\$28,063.68
Saint Joseph	\$2,423,081.78			\$616,525.34	\$1,685,281.17	\$603,674.90	\$2,288,956.07	\$4,095,512.51
Scott				\$5,870.24	\$75,633.65		\$75,633.65	\$69,763.41
Shelby				\$52,048.74	\$180,014.48	\$50,620.60	\$230,635.08	\$178,586.34
Spencer					\$15,432.78		\$15,432.78	\$15,432.78
Starke	\$438,512.49			\$16,100.91	\$112,203.99	\$17,385.00	\$129,588.99	\$552,000.57
Steuben				\$3,891.71	\$51,210.95	\$12,115.00	\$63,325.95	\$59,434.24
Sullivan				\$6,798.82	\$23,777.76		\$23,777.76	\$16,978.94
Switzerland				\$337.53			\$0.00	(\$337.53)
Tippecanoe	\$1,111,148.34	\$65,000.00		\$31,485.37	\$328,638.56	\$74,358.45	\$402,997.01	\$1,417,659.98
Tipton				\$420.75	\$22,283.34		\$22,283.34	\$21,862.59
Union					\$8,273.24		\$8,273.24	\$8,273.24
Vanderburgh				\$36,853.76	\$527,518.02	\$185,704.30	\$713,222.32	\$676,368.56
Vermillion					\$9,494.25		\$9,494.25	\$9,494.25
Vigo				\$15,704.99	\$183,270.36	\$40,649.15	\$223,919.51	\$208,214.52
Wabash				\$46,244.43	\$156,444.10	\$86,013.15	\$242,457.25	\$196,212.82
Warren								\$0.00
Warrick				\$15,066.06	\$209,762.80	\$15,032.60	\$224,795.40	\$209,729.34
Washington					\$7,742.24		\$7,742.24	\$7,742.24
Wayne					\$312,183.37	\$67,243.75	\$379,427.12	\$379,427.12
Wells				\$34,036.31	\$47,687.86		\$47,687.86	\$13,651.55
White								\$0.00
Whitley				\$657.07		\$9,988.75	\$9,988.75	\$9,331.68
	\$56,792,569.75	\$356,217.26	\$30,000.00	\$3,360,309.74	\$18,888,431.73	\$4,760,084.40	\$23,648,516.13	\$76,694,558.88

Commitments by Level of Risk and Type of Offense

Level 1: Very High Risk		
<u>Type of Crime</u>	<u>2002 total</u>	<u>2003 total</u>
Person	131	137
Sex Crime	79	91
Weapon	26	26
Vehicle	1	0
Public Order	1	0
Total	<u>238</u>	<u>254</u>

Level 2: High Risk Juveniles		
<u>Type of Crime</u>	<u>2002 total</u>	<u>2003 total</u>
Person	121	104
Drugs Dealing	26	22
Drug Possession	15	16
Other	0	3
Sex Crime	0	1
Drugs Others	1	1
Public Order	4	0
Property	1	0
Total	<u>168</u>	<u>147</u>

Level 3: Medium Risk Juveniles		
<u>Type of Crime</u>	<u>2002 Total</u>	<u>2003 Total</u>
property	618	537
person	356	342
public order	104	98
drug possession	38	26
vehicle	0	3
drug dealing	5	2
vehicle	1	1
other	0	1
Total	<u>1122</u>	<u>1010</u>

Level 4: Low Risk Juveniles		
<u>Type Of Crime</u>	<u>2002 Total</u>	<u>2003 Total</u>
juvenile status	186	144
public order	94	87
drug possession	81	66
vehicle	28	18
other	2	3
property	6	0
Total	<u>397</u>	<u>318</u>